

**Amendments to the Drawings:**

The attached replacement drawing sheet makes changes to Figs. 7a and 7b and replaces the original sheet with Figs. 7a and 7b.

Attachment: Replacement Sheet

**REMARKS**

The Office Action objects to the figures; and rejects claims 1, 2, 5-10, 13 and 14 under 35 U.S.C. §103(a). Applicants respectfully traverse the rejections.

Applicants appreciate the courtesies shown to Applicants' representatives by Examiner Shay in the November 20, 2007 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

**I. Drawings**

The Office Action objects to the drawings under 37 C.F.R. §1.83(a) for not disclosing "a laser beam with 1-100 mJ/cm<sup>2</sup>" and "introducing foreign matter," and the "quartz glass chip." The Office Action also objects to the depiction of the concave aspect of the taper of the quartz glass chip. Applicants respectfully traverse the rejection.

Applicants previously submitted new Figs. 7a-7c on June 22, 2007 to remedy various of these objections. In particular, laser intensity of "1-100 mJ/cm<sup>2</sup>," and the "quartz glass chip" were included in, for example, Fig. 7a. Furthermore, Applicants respectfully note that Examiner Shay agreed that disclosure of introducing foreign matter was self evident and thus not necessary during the personal interview conducted on June 15, 2007. Additionally, Figs. 7a and 7b are hereby amended in the attached replacement sheet to depict straight edges along the taper of the quartz glass chip.

For at least the foregoing reasons, the instant figures contain no objectionable subject matter and show every necessary feature of the invention. Reconsideration and withdrawal of the objection are earnestly solicited.

**II. Rejections under 35 U.S.C. §103(a)**

The Office Action rejects claims 1, 2, 5-10, 13 and 14 under 35 U.S.C. §103(a) as unpatentable over Abela in combination with Matsuura, Kubota and Lewis. The Office Action asserts that Abela discloses each feature of the instant claims except for the use of a

hollow fiber, specific laser energies, or a quartz chip. The Office Action further asserts that Kubota discloses energy densities of between 50 and 250 mJ/cm<sup>2</sup> with 193 nm light. Applicants respectfully traverse the rejection.

Instant claim 1, from which the remainder of the claims depend, specifies a laser beam with 1-100 mJ/cm<sup>2</sup> of energy density. This range is nowhere disclosed in Abela or Kubota.

The Office Action acknowledges that Abela does not recite the specific claimed laser energies, and thus looks to Kubota for disclosure of such energy densities. However, in contrast to instant claim 1, Kubota discloses energy densities of 2.54 J/cm<sup>2</sup>, as noted in Applicants' June 22, 2007 Response. The Office Action has misinterpreted Kubota's disclosure of a fluence range of 50 to 250 mJ/cm<sup>2</sup>. Kubota discloses a fluence range of 50 to 250 mJ/cm<sup>2</sup> (the range of the laser used for eye surgery) only to demonstrate that an *ablation speed* could be used "if a fluence of 2.54 J/cm<sup>2</sup> exists at a wavelength of 213 nm." See Kubota, col. 5, lines 20-27. Thus, as previously argued by Applicant, Kubota nowhere discloses the instant claimed range of 1-100 mJ/cm<sup>2</sup>.

It would thus not have been obvious at the time of the invention to have combined Kubota with Abela, because doing so does not remedy Abela's deficiencies with respect to the instant claimed features. No combination of Abela, Matsuura, Kubota or Lewis would have rendered obvious instant claim 1, from which all claims depend. Reconsideration and withdrawal of the rejection are earnestly solicited.

### **III. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:RCC/tjx

Attachment:  
Replacement Sheet (1)

Date: November 26, 2007

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